

ESSB 5946 - H AMD TO H AMD (H-2726.1) **582**

By Representative Santos

WITHDRAWN 06/28/2013

1 On page 10, beginning on line 25 of the striking amendment, strike
2 sections 301 through 309 and insert the following:

3
4 "NEW SECTION. **Sec. 301.** A new section is added to chapter
5 28A.600 RCW to read as follows:

6 (1) The office of the superintendent of public instruction shall
7 convene a discipline task force to develop standard definitions for
8 causes of student disciplinary actions taken at the discretion of the
9 school district. The task force must also develop data collection
10 standards for disciplinary actions that are discretionary and for
11 disciplinary actions that result in the exclusion of a student from
12 school. The data collection standards must include data about
13 education services provided while a student is subject to a
14 disciplinary action, the status of petitions for readmission to the
15 school district when a student has been excluded from school, credit
16 retrieval during a period of exclusion, and school dropout as a result
17 of disciplinary action.

18 (2) The discipline task force shall include representatives from
19 the K-12 data governance group, the educational opportunity gap
20 oversight and accountability committee, the state ethnic commissions,
21 the governor's office of Indian affairs, the office of the education
22 ombudsman, school districts, and other education and advocacy
23 organizations.

24 (3) The office of the superintendent of public instruction and the
25 K-12 data governance group shall revise the statewide student data
26 system to incorporate the student discipline data collection standards

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1 recommended by the discipline task force, and begin collecting data
2 based on the revised standards in the 2015-16 school year.

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4 **Sec. 302.** RCW 28A.600.015 and 2006 c 263 s 701 are each amended
5 to read as follows:

6 (1) The superintendent of public instruction shall adopt and
7 distribute to all school districts lawful and reasonable rules
8 prescribing the substantive and procedural due process guarantees of
9 pupils in the common schools. Such rules shall authorize a school
10 district to use informal due process procedures in connection with the
11 short-term suspension of students to the extent constitutionally
12 permissible: PROVIDED, That the superintendent of public instruction
13 deems the interest of students to be adequately protected. When a
14 student suspension or expulsion is appealed, the rules shall authorize
15 a school district to impose the suspension or expulsion temporarily
16 after an initial hearing for no more than ten consecutive school days
17 or until the appeal is decided, whichever is earlier. Any days that
18 the student is temporarily suspended or expelled before the appeal is
19 decided shall be applied to the term of the student suspension or
20 expulsion and shall not limit or extend the term of the student
21 suspension or expulsion. A suspension or expulsion of a student may
22 not be for an indefinite period of time, and a school district may not
23 suspend the provision of educational services to a student as a
24 disciplinary measure.

25 (2) Short-term suspension procedures may be used for suspensions
26 of students up to and including, ten consecutive school days.

27 (3) Emergency expulsions must end or be converted to another form
28 of corrective action within ten school days from the date of the
29 emergency removal from school. Notice and due process rights must be
30 provided to students when an emergency expulsion is converted to
31 another form of corrective action.

32 (4) A school district may not impose a disciplinary action that
33 results in the suspension of educational services to a student. A
34 student may be excluded from a particular classroom or instructional

1 or activity area for the period of suspension, but the school district
2 must provide an opportunity for the student to receive educational
3 services in an alternative manner, which may include services provided
4 through an alternative program, at an alternative school, or at an
5 alternative location within the student's regular school.

6
7 **Sec. 303.** RCW 28A.600.020 and 2006 c 263 s 706 are each amended
8 to read as follows:

9 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
10 interpreted to ensure that the optimum learning atmosphere of the
11 classroom is maintained, and that the highest consideration is given
12 to the judgment of qualified certificated educators regarding
13 conditions necessary to maintain the optimum learning atmosphere.

14 (2) Any student who creates a disruption of the educational
15 process in violation of the building disciplinary standards while
16 under a teacher's immediate supervision may be excluded by the teacher
17 from his or her individual classroom and instructional or activity
18 area for all or any portion of the balance of the school day, or up to
19 the following two days, or until the principal or designee and teacher
20 have conferred, whichever occurs first. Except in emergency
21 circumstances, the teacher first must attempt one or more alternative
22 forms of corrective action. In no event without the consent of the
23 teacher may an excluded student return to the class during the balance
24 of that class or activity period or up to the following two days, or
25 until the principal or his or her designee and the teacher have
26 conferred.

27 (3) In order to preserve a beneficial learning environment for all
28 students and to maintain good order and discipline in each classroom,
29 every school district board of directors shall provide that written
30 procedures are developed for administering discipline at each school
31 within the district. Such procedures shall be developed with the
32 participation of (~~parents~~) families and the community, and shall
33 provide that the teacher, principal or designee, and other authorities
34 designated by the board of directors, make every reasonable attempt to

1 involve the (~~parent~~) family or guardian and the student in the
2 resolution of student discipline problems. Such procedures shall
3 provide that students may be excluded from their individual classes or
4 activities for periods of time in excess of that provided in
5 subsection (2) of this section if such students have repeatedly
6 disrupted the learning of other students. The procedures must be
7 consistent with the rules of the superintendent of public instruction
8 and must provide for early involvement of (~~parents~~) families in
9 attempts to improve the student's behavior.

10 (4) The procedures shall assure, pursuant to RCW 28A.400.110, that
11 all staff work cooperatively toward consistent enforcement of proper
12 student behavior throughout each school as well as within each
13 classroom.

14 (5)(a) A principal (~~shall~~) may consider imposing long-term
15 suspension or expulsion as a sanction when deciding the appropriate
16 disciplinary action for a student who, after July 27, 1997:

17 (~~(a)~~) (i) Engages in two or more violations within a three-year
18 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,
19 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280(~~, or~~
20 ~~28A.320.140~~)); or

21 (~~(b)~~) (ii) Engages in one or more of the offenses listed in RCW
22 13.04.155.

23 (b) The principal shall communicate the disciplinary action taken
24 by the principal to the school personnel who referred the student to
25 the principal for disciplinary action.

26 (6) Any corrective action involving a suspension or expulsion from
27 school for more than ten days must have an end date no later than the
28 end of the academic term in which the student exhibited behavior
29 leading to a corrective action. In consultation with families and
30 guardians of students subject to corrective action, school districts
31 shall make reasonable efforts to assist students in returning to an
32 educational setting prior to and no later than the end date of the
33 corrective action. Where warranted based on public health or safety,
34 a school district may petition the local school board, pursuant to

1 policies and procedures adopted by the superintendent of public
2 instruction, for authorization to exceed the term limitation provided
3 in this subsection. The superintendent of public instruction shall
4 adopt rules outlining the limited circumstances in which a school
5 district may petition the local school board to exceed the academic
6 term limitation, including safeguards to ensure that the district has
7 made every effort to plan for the student's return to school and that
8 the student's extended expulsion from the district does not impair the
9 student's constitutional right to education. In adopting rules and
10 reviewing petitions to exceed the academic term limitation, the
11 superintendent of public instruction must assure that students receive
12 educational services while serving a suspension or expulsion. A
13 petition to exceed the academic term limitation shall not be granted
14 by the superintendent of public instruction if a school district does
15 not provide educational services to a student serving a suspension or
16 expulsion.

17 (7) As provided in RCW 28A.600.015, a school district may not
18 impose disciplinary action that results in the suspension of
19 educational services to a student.

20
21 **Sec. 304.** RCW 28A.600.410 and 1992 c 155 s 1 are each amended to
22 read as follows:

23 It is the intent of the legislature to minimize the use of out-of-
24 school suspension and expulsion and its impact on student achievement
25 by reducing the number of days that students are excluded from school
26 due to disciplinary action. Student discipline should not impair a
27 student's constitutional right to education.

28 School districts are encouraged to find alternatives to suspension
29 including reducing the length of a student's suspension conditioned by
30 the commencement of counseling or other treatment services.
31 Consistent with current law, the conditioning of a student's
32 suspension does not obligate the school district to pay for the
33 counseling or other treatment services except for those stipulated and
34 agreed to by the district at the inception of the suspension.

1 **Sec. 305.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to
2 read as follows:

3 (1) School district boards of directors shall adopt policies that
4 restore discipline to the classroom. Such policies must provide for
5 at least the following: Allowing each teacher to take disciplinary
6 action to correct a student who disrupts normal classroom activities,
7 abuses or insults a teacher as prohibited by RCW 28A.635.010,
8 willfully disobeys a teacher, uses abusive or foul language directed
9 at a school district employee, school volunteer, or another student,
10 violates school rules, or who interferes with an orderly education
11 process. Disciplinary action may include but is not limited to: Oral
12 or written reprimands; written notification to parents of disruptive
13 behavior, a copy of which must be provided to the principal.

14 (2) A student committing an offense under chapter 9A.36, 9A.40,
15 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
16 shall not be assigned to that teacher's classroom for the duration of
17 the student's attendance at that school or any other school where the
18 teacher is assigned.

19 (3) A student who commits an offense under chapter 9A.36, 9A.40,
20 9A.46, or 9A.48 RCW, when directed toward another student, may be
21 removed from the classroom of the victim for the duration of the
22 student's attendance at that school or any other school where the
23 victim is enrolled. A student who commits an offense under one of the
24 chapters enumerated in this section against a student or another
25 school employee, may be expelled or suspended.

26 (4) Nothing in this section is intended to limit the authority of
27 a school under existing law and rules to expel or suspend a student
28 for misconduct or criminal behavior. However, as provided in RCW
29 28A.600.015, a school district may not impose disciplinary action that
30 results in the suspension of educational services to a student.

31 (5) All school districts must collect data on disciplinary actions
32 taken in each school and must record such actions using the statewide
33 student data system, based on the data collection standards
34 established by the office of the superintendent of public instruction

1 and the K-12 data governance group. The information shall be made
2 available to the public upon request(~~(. This collection of)~~), but any
3 public release of such data shall not include personally identifiable
4 information including, but not limited to, a student's social security
5 number, name, or address.

6
7 **Sec. 306.** RCW 43.41.400 and 2012 c 229 s 585 are each amended to
8 read as follows:

9 (1) An education data center shall be established in the office of
10 financial management. The education data center shall jointly, with
11 the legislative evaluation and accountability program committee,
12 conduct collaborative analyses of early learning, K-12, and higher
13 education programs and education issues across the P-20 system, which
14 includes the department of early learning, the superintendent of
15 public instruction, the professional educator standards board, the
16 state board of education, the state board for community and technical
17 colleges, the workforce training and education coordinating board, the
18 student achievement council, public and private nonprofit four-year
19 institutions of higher education, and the employment security
20 department. The education data center shall conduct collaborative
21 analyses under this section with the legislative evaluation and
22 accountability program committee and provide data electronically to
23 the legislative evaluation and accountability program committee, to
24 the extent permitted by state and federal confidentiality
25 requirements. The education data center shall be considered an
26 authorized representative of the state educational agencies in this
27 section under applicable federal and state statutes for purposes of
28 accessing and compiling student record data for research purposes.

29 (2) The education data center shall:

30 (a) In consultation with the legislative evaluation and
31 accountability program committee and the agencies and organizations
32 participating in the education data center, identify the critical
33 research and policy questions that are intended to be addressed by the
34 education data center and the data needed to address the questions;

1 (b) Coordinate with other state education agencies to compile and
2 analyze education data, including data on student demographics that is
3 disaggregated by distinct ethnic categories within racial subgroups,
4 and complete P-20 research projects;

5 (c) Collaborate with the legislative evaluation and accountability
6 program committee and the education and fiscal committees of the
7 legislature in identifying the data to be compiled and analyzed to
8 ensure that legislative interests are served;

9 (d) Annually provide to the K-12 data governance group a list of
10 data elements and data quality improvements that are necessary to
11 answer the research and policy questions identified by the education
12 data center and have been identified by the legislative committees in
13 (c) of this subsection. Within three months of receiving the list,
14 the K-12 data governance group shall develop and transmit to the
15 education data center a feasibility analysis of obtaining or improving
16 the data, including the steps required, estimated time frame, and the
17 financial and other resources that would be required. Based on the
18 analysis, the education data center shall submit, if necessary, a
19 recommendation to the legislature regarding any statutory changes or
20 resources that would be needed to collect or improve the data;

21 (e) Monitor and evaluate the education data collection systems of
22 the organizations and agencies represented in the education data
23 center ensuring that data systems are flexible, able to adapt to
24 evolving needs for information, and to the extent feasible and
25 necessary, include data that are needed to conduct the analyses and
26 provide answers to the research and policy questions identified in (a)
27 of this subsection;

28 (f) Track enrollment and outcomes through the public centralized
29 higher education enrollment system;

30 (g) Assist other state educational agencies' collaborative efforts
31 to develop a long-range enrollment plan for higher education including
32 estimates to meet demographic and workforce needs;

33

34

1 (h) Provide research that focuses on student transitions within
2 and among the early learning, K-12, and higher education sectors in
3 the P-20 system; (~~and~~)

4 (i) Prepare a regular report on the educational and workforce
5 outcomes of youth in the juvenile justice system, using data
6 disaggregated according to RCW 28A.300.042, and by age; and

7 (j) Make recommendations to the legislature as necessary to help
8 ensure the goals and objectives of this section and RCW 28A.655.210
9 and 28A.300.507 are met.

10 (3) The department of early learning, superintendent of public
11 instruction, professional educator standards board, state board of
12 education, state board for community and technical colleges, workforce
13 training and education coordinating board, student achievement
14 council, public four-year institutions of higher education, department
15 of social and health services, and employment security department
16 shall work with the education data center to develop data-sharing and
17 research agreements, consistent with applicable security and
18 confidentiality requirements, to facilitate the work of the center.
19 The education data center shall also develop data-sharing and research
20 agreements with the administrative office of the courts to conduct
21 research on educational and workforce outcomes using data maintained
22 under RCW 13.50.010(11) related to juveniles. Private, nonprofit
23 institutions of higher education that provide programs of education
24 beyond the high school level leading at least to the baccalaureate
25 degree and are accredited by the Northwest association of schools and
26 colleges or their peer accreditation bodies may also develop data-
27 sharing and research agreements with the education data center,
28 consistent with applicable security and confidentiality requirements.
29 The education data center shall make data from collaborative analyses
30 available to the education agencies and institutions that contribute
31 data to the education data center to the extent allowed by federal and
32 state security and confidentiality requirements applicable to the data
33 of each contributing agency or institution.

34

1 **Sec. 601.** RCW 28A.405.106 and 2012 c 35 s 5 are each amended to
2 read as follows:

3 (1) Subject to funds appropriated for this purpose, the office of
4 the superintendent of public instruction must develop and make
5 available a professional development program to support the
6 implementation of the evaluation systems required by RCW 28A.405.100.
7 The program components may be organized into professional development
8 modules for principals, administrators, and teachers. The
9 professional development program shall include a comprehensive online
10 training package.

11 (2) The training program must include, but not be limited to, the
12 following topics:

13 (a) Introduction of the evaluation criteria for teachers and
14 principals and the four-level rating system;

15 (b) Orientation to and use of instructional frameworks;

16 (c) Orientation to and use of the leadership frameworks;

17 (d) Best practices in developing and using data in the evaluation
18 systems, including multiple measures, student growth data, classroom
19 observations, and other measures and evidence;

20 (e) Strategies for achieving maximum rater agreement;

21 (f) Evaluator feedback protocols in the evaluation systems;

22 (g) Examples of high quality teaching and leadership; and

23 (h) Methods to link the evaluation process to ongoing educator
24 professional development.

25 (3) The training program must also include the foundational
26 elements of cultural competence, focusing on multicultural education
27 and principles of English language acquisition. The content of the
28 training must be aligned with the standards for cultural competence
29 developed by the professional educator standards board under RCW
30 28A.410.270. The office of the superintendent of public instruction,
31 in consultation with the professional educator standards board, the
32 steering committee established in RCW 28A.405.100, and the educational
33 opportunity gap oversight and accountability committee, must integrate
34 the content for cultural competence into the overall training for

1 principals, administrators, and teachers to support the revised
2 evaluation systems.

3 (4) To the maximum extent feasible, the professional development
4 program must incorporate or adapt existing online training or
5 curriculum, including securing materials or curriculum under contract
6 or purchase agreements within available funds. Multiple modes of
7 instruction should be incorporated including videos of classroom
8 teaching, participatory exercises, and other engaging combinations of
9 online audio, video, and print presentation.

10 ~~((4))~~ (5) The professional development program must be developed
11 in modules that allow:

12 (a) Access to material over a reasonable number of training
13 sessions;

14 (b) Delivery in person or online; and

15 (c) Use in a self-directed manner.

16 ~~((5))~~ (6) The office of the superintendent of public instruction
17 must maintain a web site that includes the online professional
18 development materials along with sample evaluation forms and
19 templates, links to relevant research on evaluation and on high
20 quality teaching and leadership, samples of contract and collective
21 bargaining language on key topics, examples of multiple measures of
22 teacher and principal performance, suggestions for data to measure
23 student growth, and other tools that will assist school districts in
24 implementing the revised evaluation systems.

25 ~~((6))~~ (7) The office of the superintendent of public instruction
26 must identify the number of in-service training hours associated with
27 each professional development module and develop a way for users to
28 document their completion of the training. Documented completion of
29 the training under this section is considered approved in-service
30 training for the purposes of RCW 28A.415.020.

31 ~~((7))~~ (8) The office of the superintendent of public instruction
32 shall periodically update the modules to reflect new topics and
33 research on performance evaluation so that the training serves as an
34 ongoing source of continuing education and professional development.

1 (3) The cultural competence professional development and training
2 must contain components that are appropriate for classified school
3 staff and district administrators as well as certificated
4 instructional staff and principals at the building level. The
5 professional development and training must also contain components
6 suitable for delivery by individuals from the local community or
7 community-based organizations with appropriate expertise.

8 (4) The legislature encourages educational service districts and
9 school districts to use the cultural competence professional
10 development and training developed under this section and provide
11 opportunities for all school and school district staff to gain
12 knowledge and skills in cultural competence, including in partnership
13 with their local communities.

14
15 NEW SECTION. **Sec. 604.** A new section is added to chapter 28A.657
16 RCW to read as follows:

17 Schools that are required under state or federal accountability
18 measures to implement a plan for improvement must provide the cultural
19 competence professional development and training developed under
20 section 603 of this act for classified, certificated instructional,
21 and administrative staff of the school. The professional development
22 and training may be delivered by an educational service district,
23 through district in-service, or by another qualified provider,
24 including in partnership with the local community.

25

26 **PART VII**

27 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

28

29 **Sec. 701.** RCW 28A.660.045 and 2007 c 396 s 7 are each amended to
30 read as follows:

31 (1) The educator retooling (~~to teach mathematics and science~~)
32 conditional scholarship program is created. Participation is limited
33 to current K-12 teachers and individuals having an elementary
34 education certificate but who are not employed in positions requiring

1 an elementary education certificate. It is anticipated that
2 candidates enrolled in this program will complete the requirements for
3 a mathematics ~~((or))~~, science, special education, bilingual education,
4 or English language learner endorsement~~((, or both,))~~ in two years or
5 less.

6 (2) Entry requirements for candidates include:

7 (a) Current K-12 teachers shall pursue a middle level mathematics
8 or science, ~~((or))~~ secondary mathematics or science, special
9 education, bilingual education, or English language learner
10 endorsement.

11 (b) Individuals having an elementary education certificate but who
12 are not employed in positions requiring an elementary education
13 certificate shall pursue an endorsement only in middle level
14 mathematics or science ~~((only))~~, special education, bilingual
15 education, or English language learner.

16
17 **Sec. 702.** RCW 28A.660.050 and 2012 c 229 s 507 are each amended
18 to read as follows:

19 Subject to the availability of amounts appropriated for these
20 purposes, the conditional scholarship programs in this chapter are
21 created under the following guidelines:

22 (1) The programs shall be administered by the student achievement
23 council. In administering the programs, the council has the following
24 powers and duties:

25 (a) To adopt necessary rules and develop guidelines to administer
26 the programs;

27 (b) To collect and manage repayments from participants who do not
28 meet their service obligations; and

29 (c) To accept grants and donations from public and private sources
30 for the programs.

31 (2) Requirements for participation in the conditional scholarship
32 programs are as provided in this subsection (2).

33 (a) The alternative route conditional scholarship program is
34 limited to interns of professional educator standards board-approved

1 alternative routes to teaching programs under RCW 28A.660.040. For
2 fiscal year 2011, priority must be given to fiscal year 2010
3 participants in the alternative route partnership program. In order
4 to receive conditional scholarship awards, recipients shall:

5 (i) Be accepted and maintain enrollment in alternative
6 certification routes through a professional educator standards board-
7 approved program;

8 (ii) Continue to make satisfactory progress toward completion of
9 the alternative route certification program and receipt of a residency
10 teaching certificate; and

11 (iii) Receive no more than the annual amount of the scholarship,
12 not to exceed eight thousand dollars, for the cost of tuition, fees,
13 and educational expenses, including books, supplies, and
14 transportation for the alternative route certification program in
15 which the recipient is enrolled. The council may adjust the annual
16 award by the average rate of resident undergraduate tuition and fee
17 increases at the state universities as defined in RCW 28B.10.016.

18 (b) The pipeline for paraeducators conditional scholarship program
19 is limited to qualified paraeducators as provided by RCW 28A.660.042.
20 In order to receive conditional scholarship awards, recipients shall:

21 (i) Be accepted and maintain enrollment at a community and
22 technical college for no more than two years and attain an associate
23 of arts degree;

24 (ii) Continue to make satisfactory progress toward completion of
25 an associate of arts degree. This progress requirement is a condition
26 for eligibility into a route one program of the alternative routes to
27 teacher certification program for a mathematics, special education, or
28 English as a second language endorsement; and

29 (iii) Receive no more than the annual amount of the scholarship,
30 not to exceed four thousand dollars, for the cost of tuition, fees,
31 and educational expenses, including books, supplies, and
32 transportation for the alternative route certification program in
33 which the recipient is enrolled. The student achievement council may
34

1 adjust the annual award by the average rate of tuition and fee
2 increases at the state community and technical colleges.

3 (c) The educator retooling (~~((to teach mathematics and science))~~)
4 conditional scholarship program is limited to current K-12 teachers.
5 In order to receive conditional scholarship awards:

6 (i) Individuals currently employed as teachers shall pursue a
7 middle level mathematics or science, (~~((or))~~) secondary mathematics or
8 science, special education, bilingual education, or English language
9 learner endorsement; or

10 (ii) Individuals who are certificated with an elementary education
11 endorsement shall pursue an endorsement in middle level mathematics or
12 science, (~~((or both))~~) special education, bilingual education, or
13 English language learner; and

14 (iii) Individuals shall use one of the pathways to endorsement
15 processes to receive (~~((a mathematics or science))~~) the endorsement,
16 (~~((or both,))~~) which shall include passing (~~((a mathematics or science))~~)
17 the associated endorsement test(~~((,))~~) or (~~((both))~~) tests, plus
18 observation and completing applicable coursework to attain the proper
19 endorsement; and

20 (iv) Individuals shall receive no more than the annual amount of
21 the scholarship, not to exceed three thousand dollars, for the cost of
22 tuition, test fees, and educational expenses, including books,
23 supplies, and transportation for the endorsement pathway being
24 pursued.

25 (3) The Washington professional educator standards board shall
26 select individuals to receive conditional scholarships. In selecting
27 recipients, preference shall be given to eligible veterans or national
28 guard members. In awarding educator retooling scholarships to support
29 additional bilingual education and English language learner
30 endorsements, the board shall give preference to: Teachers seeking
31 endorsements in order to be assigned to the transitional bilingual
32 instructional program under the provisions of RCW 28A.180.040(2),
33 teachers assigned to schools required under state or federal
34 accountability measures to implement a plan for improvement, and

1 teachers assigned to schools whose enrollment of English language
2 learner students has increased an average of more than five percent
3 per year over the previous three years.

4 (4) For the purpose of this chapter, a conditional scholarship is
5 a loan that is forgiven in whole or in part in exchange for service as
6 a certificated teacher employed in a Washington state K-12 public
7 school. The state shall forgive one year of loan obligation for every
8 two years a recipient teaches in a public school. Recipients who fail
9 to continue a course of study leading to residency teacher
10 certification or cease to teach in a public school in the state of
11 Washington in their endorsement area are required to repay the
12 remaining loan principal with interest.

13 (5) Recipients who fail to fulfill the required teaching
14 obligation are required to repay the remaining loan principal with
15 interest and any other applicable fees. The student achievement
16 council shall adopt rules to define the terms for repayment, including
17 applicable interest rates, fees, and deferments. The student
18 achievement council must provide regular reports to the professional
19 educator standards board that include the enrollment, employment, and
20 repayment status of recipients of all scholarships under this section
21 and the certificate number of recipients who have successfully
22 completed a certification program.

23 (6) The student achievement council may deposit all
24 appropriations, collections, and any other funds received for the
25 program in this chapter in the future teachers conditional scholarship
26 account authorized in RCW 28B.102.080. Funds received by the
27 professional educator standards board for the program in this chapter
28 may be transferred to the student achievement council for deposit in
29 the future teachers conditional scholarship account.

30

31 **Sec. 703.** RCW 28A.180.040 and 2009 c 380 s 5 are each amended to
32 read as follows:

33 (1) Every school district board of directors shall:

34

1 (a) Make available to each eligible pupil transitional bilingual
2 instruction to achieve competency in English, in accord with rules of
3 the superintendent of public instruction;

4 (b) Wherever feasible, ensure that communications to parents
5 emanating from the schools shall be appropriately bilingual for those
6 parents of pupils in the bilingual instruction program;

7 (c) Determine, by administration of an English test approved by
8 the superintendent of public instruction the number of eligible pupils
9 enrolled in the school district at the beginning of a school year and
10 thereafter during the year as necessary in individual cases;

11 (d) Ensure that a student who is a child of a military family in
12 transition and who has been assessed as in need of, or enrolled in, a
13 bilingual instruction program, the receiving school shall initially
14 honor placement of the student into a like program.

15 (i) The receiving school shall determine whether the district's
16 program is a like program when compared to the sending school's
17 program; and

18 (ii) The receiving school may conduct subsequent assessments
19 pursuant to RCW 28A.180.090 to determine appropriate placement and
20 continued enrollment in the program;

21 (e) Before the conclusion of each school year, measure each
22 eligible pupil's improvement in learning the English language by means
23 of a test approved by the superintendent of public instruction; and

24 (f) Provide in-service training for teachers, counselors, and
25 other staff, who are involved in the district's transitional bilingual
26 program. Such training shall include appropriate instructional
27 strategies for children of culturally different backgrounds, use of
28 curriculum materials, and program models.

29 (2) Beginning in the 2017-18 school year, all classroom teachers
30 assigned using funds for the transitional bilingual instructional
31 program to provide supplemental instruction for eligible pupils must
32 hold an endorsement in bilingual education or English language
33 learner, or both.

1 (3) The definitions in Article II of RCW 28A.705.010 apply to
2 subsection (1)(d) of this section.

3
4 **PART VIII**

5 **ENGLISH LANGUAGE LEARNER ACCOUNTABILITY**

6
7 NEW SECTION. **Sec. 801.** (1) The office of the superintendent of
8 public instruction shall convene an English language learner
9 accountability task force to design a performance-based accountability
10 system for the transitional bilingual instructional program. The task
11 force must include representatives from the educational opportunity
12 gap oversight and accountability committee, the state ethnic
13 commissions, the governor's office of tribal affairs, the office of
14 the education ombudsman, the civil rights office within the office of
15 the superintendent of public instruction, parents, community
16 representatives, and program directors and teachers from school
17 districts of different sizes and with different English language
18 learner student populations.

19 (2) The task force must review the research literature to identify
20 evidence-based program designs and instructional strategies for
21 English language learners to achieve English proficiency.

22 (3) The task force must identify performance benchmarks for
23 transitional bilingual instructional programs, including:

24 (a) Benchmarks based on performance of eligible and exited
25 students, including performance in English language and performance in
26 other academic areas, based on state learning standards; and

27 (b) Benchmarks based on program characteristics that research
28 suggests are associated with students achieving English proficiency,
29 such as staff qualifications and training and the level of
30 supplemental instruction for students.

31 (4) The task force must design an accountability system for the
32 program that includes reporting and monitoring of benchmark
33 performance and tiered levels of support and technical assistance for
34 schools and districts based on benchmark performance. The design of

1 the system must also include a reduction in requirements for schools
2 and districts to submit program applications and program plans for
3 state approval, to be replaced with a focus on program outcomes.

4 (5) The task force must submit a report first to the educational
5 opportunity gap oversight and accountability committee and the quality
6 education council, and then to the education committees of the
7 legislature, with recommendations for the design of the accountability
8 system and any policy changes, statutory changes, or resources
9 necessary for its implementation. An interim report is due to the
10 legislative education committees by January 15, 2014, and a final
11 report is due by September 30, 2014.

12 (6) This section expires July 1, 2015.

13

14 **Sec. 802.** RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each
15 amended to read as follows:

16 The superintendent of public instruction shall develop an
17 evaluation system designed to measure increases in the English and
18 academic proficiency of eligible pupils. When developing the system,
19 the superintendent shall:

20 (1) Require school districts to assess potentially eligible pupils
21 within ten days of registration using an English proficiency
22 assessment or assessments as specified by the superintendent of public
23 instruction. Results of these assessments shall be made available to
24 both the superintendent of public instruction and the school district;

25 (2) Require school districts to annually assess all eligible
26 pupils at the end of the school year using an English proficiency
27 assessment or assessments as specified by the superintendent of public
28 instruction. Results of these assessments shall be made available to
29 both the superintendent of public instruction and the school district;

30 (3) Develop a system to evaluate increases in the English and
31 academic proficiency of students who are, or were, eligible pupils.
32 This evaluation shall include students when they are in the program
33 and after they exit the program until they finish their K-12 career or
34 transfer from the school district. The purpose of the evaluation

1 system is to inform schools, school districts, parents, and the state
2 of the effectiveness of the transitional bilingual programs in school
3 and school districts in teaching these students English and other
4 content areas, such as mathematics and writing; and

5 ~~(4) ((Report to the education and fiscal committees of the
6 legislature by November 1, 2002, regarding the development of the
7 systems described in this section and a timeline for the full
8 implementation of those systems. The legislature shall approve and
9 provide funding for the evaluation system in subsection (3) of this
10 section before any implementation of the system developed under
11 subsection (3) of this section may occur))~~ Provide school districts
12 with technical assistance and support in selecting research-based
13 program models, instructional materials, and professional development
14 for program staff, including disseminating information about best
15 practices and innovative programs. The information must include
16 research about the differences between conversational language
17 proficiency, academic language proficiency, and subject-specific
18 language proficiency and the implications this research has on
19 instructional practices and evaluation of program effectiveness.

20
21 NEW SECTION. Sec. 803. A new section is added to chapter 28A.657
22 RCW to read as follows:

23 At the beginning of each school year, the office of the
24 superintendent of public instruction shall identify schools that
25 experienced a significant increase during the previous two school
26 years in enrollment of English language learner students as compared
27 to previous enrollment trends. The office shall notify the schools,
28 and school districts in which the schools are located must provide the
29 cultural competence professional development and training developed
30 under section 603 of this act for classified, certificated
31 instructional, and administrative staff of the schools. The
32 professional development and training may be delivered by an
33 educational service district, through district in-service, or by
34

1 another qualified provider, including in partnership with the local
2 community.

3 **PART IX**

4 **DISAGGREGATED STUDENT DATA**

5
6 **Sec. 901.** RCW 28A.300.042 and 2009 c 468 s 4 are each amended to
7 read as follows:

8 (1) Beginning with the 2014-15 school year and using the phase-in
9 provided in subsection (2) of this section, the superintendent of
10 public instruction must collect and school districts must submit all
11 student-level data using the United States office of management and
12 budget 1997 race and ethnicity reporting guidelines, including the
13 subracial and subethnic categories within those guidelines, with the
14 following modifications to the subracial and subethnic categories:

15 (a) Further disaggregation of the Black category to differentiate
16 students of African origin and students native to the United States
17 with African ancestors;

18 (b) Further disaggregation of countries of origin for Asian
19 students;

20 (c) Further disaggregation of the White category to include
21 subethnic categories for Eastern European nationalities that have
22 significant populations in Washington; and

23 (d) For students who report as multiracial, collection of their
24 racial and ethnic combination of categories.

25 (2) Beginning with the 2014-15 school year, school districts must
26 collect student-level data as provided in subsection (1) of this
27 section for all newly enrolled students, including transfer students.
28 School districts must resurvey students for whom subracial and
29 subethnic categories are not reported when the students enter middle
30 school or junior high school. School districts may resurvey other
31 students.

32 (3) All student data-related reports (~~(required of)~~) prepared by
33 the superintendent of public instruction (~~(in)~~) under this title must
34 be disaggregated by at least the following subgroups of students:

1 White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
2 Islander/Hawaiian Native, low income, transitional bilingual, migrant,
3 special education, and students covered by section 504 of the federal
4 rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794).
5 Beginning with the 2014-15 school year, student data-related reports
6 must also be prepared displaying additional disaggregation of data if
7 analysis of the data indicates significant differences among
8 categories of students as it pertains to the subject of the report.
9 The superintendent of public instruction may use other data for
10 analysis if disaggregated data for subracial and subethnic categories
11 of students do not exist, including but not limited to whether the
12 student is an immigrant; country of birth; or language spoken at home.

13 (4) The K-12 data governance group shall develop the data
14 protocols and guidance for school districts in the collection of data
15 as required under this section, and the office of the superintendent
16 of public instruction shall modify the statewide student data system
17 as needed. The office of the superintendent of public instruction
18 shall also incorporate training for school staff on best practices for
19 collection of data on student race and ethnicity in other training or
20 professional development related to data provided by the office.

21

22 **Sec. 902.** RCW 28A.300.505 and 2007 c 401 s 5 are each amended to
23 read as follows:

24 (1) The office of the superintendent of public instruction shall
25 develop standards for school data systems that focus on validation and
26 verification of data entered into the systems to ensure accuracy and
27 compatibility of data. The standards shall address but are not
28 limited to the following topics:

29 (a) Date validation;

30 (b) Code validation, which includes gender, race or ethnicity, and
31 other code elements;

32 (c) Decimal and integer validation; and

33 (d) Required field validation as defined by state and federal
34 requirements.

1 (2) The superintendent of public instruction shall develop a
2 reporting format and instructions for school districts to collect and
3 submit data on student demographics that is disaggregated (~~by~~
4 ~~distinct ethnic categories within racial subgroups so that analyses~~
5 ~~may be conducted on student achievement using the disaggregated data~~)
6 as required under RCW 28A.300.042.

7

8

PART X

9

RECRUITMENT AND RETENTION OF EDUCATORS

10

11 NEW SECTION. **Sec. 1001.** (1) The professional educator standards
12 board and the office of the superintendent of public instruction shall
13 convene a work group to revise and update the model framework and
14 curriculum, as well as the program of study, for high school career
15 and technical education courses related to careers in education.

16 (2) The revised careers in education courses must incorporate:

17 (a) Standards for cultural competence developed by the
18 professional educator standards board under RCW 28A.410.270;

19 (b) The most recent competency standards established by the
20 professional educator standards board and new research on best
21 practices for educator preparation and development; and

22 (c) Curriculum and activities used by the recruiting Washington
23 teachers program under RCW 28A.415.370.

24 (3) The revisions must be completed before the 2014-15 school
25 year.

26 (4) This section expires September 1, 2015.

27

28 NEW SECTION. **Sec. 1002.** A new section is added to chapter
29 28A.410 RCW to read as follows:

30 (1) The professional educator standards board shall convene a work
31 group to design program-specific paraeducator professional development
32 and recommend minimum qualifications for paraeducators, as well as an
33 articulated pathway for teacher preparation and certification that has
34 the characteristics described in this section. The work group must

1 include representatives of community and technical college
2 paraeducator apprenticeship and certificate programs, colleges of
3 education, teacher and paraeducator associations, and the office of
4 the superintendent of public instruction.

5 (2) An articulated pathway for teacher preparation and
6 certification includes:

7 (a) Paraeducator certificate and apprenticeship programs that
8 offer course credits that apply to transferrable associate degrees and
9 are aligned with the standards and competencies for teachers adopted
10 by the professional educator standards board;

11 (b) Associate degree programs that build on and do not duplicate
12 the courses and competencies of paraeducator certificate programs,
13 incorporate field experiences, are aligned with the standards and
14 competencies for teachers adopted by the professional educator
15 standards board, and are transferrable to bachelor's degree in
16 education programs and teacher certification programs;

17 (c) Bachelor's degree programs that lead to teacher certification
18 that build on and do not duplicate the courses and competencies of
19 transferrable associate degrees; and

20 (d) Incorporation of the standards for cultural competence
21 developed by the professional educator standards board under RCW
22 28A.410.270 throughout the courses and curriculum of the pathway,
23 particularly focusing on multicultural education and principles of
24 language acquisition.

25 (3) The work group shall design professional development and
26 recommend minimum qualifications for paraeducators in the following
27 programs:

28 (a) Transitional bilingual instructional program;

29 (b) Learning assistance program;

30 (c) Special education; and

31 (d) General education.

32 (4) The professional educator standards board must submit a report
33 to the education committees of the legislature by January 10, 2014,
34 containing:

1 (a) A comparison of the current status of pathways for teacher
2 certification to the elements of the articulated pathway. The report
3 must highlight gaps and recommend strategies to address them;

4 (b) Appropriate program-specific professional development that
5 should be made available to paraeducators, including online learning
6 opportunities; and

7 (c) Recommended minimum qualifications for paraeducators in
8 specified programs.

9 (5) The professional educator standards board and the state board
10 for community and technical colleges may exercise their respective
11 authorities regarding program approval to implement the articulated
12 pathway for teacher preparation and certification under this section
13 in approved teacher certification programs and certificate and degree
14 programs offered by community and technical colleges.

15
16 NEW SECTION. **Sec. 1003.** A new section is added to chapter 28B.50
17 RCW to read as follows:

18 Beginning with the 2014-15 academic year, any community or
19 technical college that offers an apprenticeship program or certificate
20 program for paraeducators must provide candidates the opportunity to
21 earn transferrable course credits within the program. The programs
22 must also incorporate the standards for cultural competence, including
23 multicultural education and principles of language acquisition,
24 developed by the professional educator standards board under RCW
25 28A.410.270.

26
27 **PART XI "**

28
29 Renumber the remaining sections consecutively and correct any
30 internal references accordingly. Correct the title.

EFFECT: Replaces all provisions pertaining to Student
Discipline (Part III) with the following:

Creates a discipline task force that must develop standard
definitions of student disciplinary actions and requires revision of
the statewide data system to incorporate discipline data collection

standards recommended by the task force in the 2015-16 school year.

Prohibits school districts from suspending the provision of educational services to a student as a disciplinary measure.

Requires that school districts provide an opportunity for a student to receive educational services in an alternative manner.

Requires that suspensions or expulsions have an end date no later than the end of the academic term. Requires the Office of the Superintendent of Public Instruction (OSPI) to adopt rules outlining the limited circumstances in which local school boards may grant exemptions to the academic term limitation, including a requirement that students receive educational services while suspended or expelled.

Modifies the requirement that principals must consider long-term suspension after students engage in certain behaviors to provide that principals may consider long-term suspensions in those circumstances and removes dress and grooming code violations from those behaviors.

Requires the Education Data Center to prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system.

Requires that school districts create a reenrollment and reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion.

Adds the following provisions:

Part VI: Educator Cultural Competence. Requires professional development on revised evaluation systems to include foundational elements of cultural competence. Directs the OSPI and others to develop a content outline for cultural competence training for all school staff. Requires the cultural competence training in schools required to implement school improvement plans.

Part VII: Instructing English Language Learners (ELL). Extends a Retooling Scholarship to teachers seeking special education, bilingual, or ELL endorsements. For scholarships to support bilingual or ELL endorsements, provides for a preference to teachers assigned to the Bilingual Program, struggling schools, or schools with recent significant increases in ELL enrollment. Requires that beginning in 2017, Bilingual Program teachers must be endorsed in bilingual or ELL.

Part VIII: ELL Accountability. Requires development of an accountability system for the Bilingual Program. Directs the OSPI to provide technical assistance. Requires cultural competence training in schools with recent significant increases in ELL enrollment.

Part IX: Disaggregated Student Data. Requires collection of disaggregated student data, including based on subethnic and

subracial categories, according to a specified phase-in beginning in 2014-15.

Part X: Recruitment & Retention of Educators. Requires the Professional Educator Standards Board (PESB) and the OSPI to update the Careers in Education high school course curriculum. Directs the PESB to design paraeducator professional development and recommend minimum qualifications, and design an articulated pathway for teacher preparation and certification that has specified characteristics. Requires paraeducator certificate programs to provide transferrable course credits.

--- END ---